

REMARKS/ARGUMENTS

Claim 1 is amended by the instant response. Claim 11 is added. No claims are canceled. Accordingly, following entry of this response, claims 1-11 will remain pending.

As a threshold matter, Applicants thank Examiner Watko for the courtesy of the telephone interview held on October 25, 2006. In that telephone interview, Examiner Watko maintained final rejection of the claims, but indicated that amendment of the claims to further define the "magnetic domain underlayer" term could be useful to distinguish the pending claims from the cited art.

Accordingly, pending independent claims 1 and 2 have now been amended to recite that the magnetic domain control underlayer is configured to increase a coercive force of the magnetic domain control film. This property is disclosed in the pending application at least at ¶[0014].

These amendments to claims 1 and 2 distinguish them from the art relied upon by the Examiner. Specifically, claims 1-3 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 6,338,899 to Fukuzawa et al.. ("the Fukuzawa Patent"), while claims 4-5 stand rejected under 35 U.S.C. §103(a) as being obvious in view of the Fukuzawa Patent .

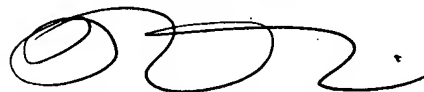
The Fukuzawa Patent, however, fails to teach or suggest all of the elements of the pending claims. In particular, the Fukuzawa Patent does not disclose or suggest a magnetic domain control film formed above and in contact with the magnetic domain control underlayer that is configured to increase a coercive force of the magnetic domain control film.

In the latest office action, the Examiner alleges that lower gap 12 of Figure 28 of the Fukuzawa Patent is a magnetic domain control underlayer. However, the lower gap 12 of the Fukuzawa Patent cannot be the magnetic domain control underlayer of the claimed embodiments. In particular, the Fukuzawa Patent recites that the lower gap 12 may be made of aluminum or aluminum nitride (see col. 43, lines 24-25). Such an underlayer would not be configured to increase a coercive force as now recited by the pending independent claims. For at least these foregoing reasons, Applicants respectfully submit that claims 1-5 are patentable over the cited art.

Finally, in the latest office action, the Examiner indicated the allowability of claim 3 if amended to incorporate the elements of the base independent claim 1 in its previous form. Newly presented claim 11 reflects this allowable subject matter, and in view of the Examiner's prior indication of the allowability of this subject matter, it is respectfully asserted that claim 11 is in condition for allowance.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kent J. Tobin', with a stylized flourish at the end.

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